



## MEMORANDUM TO MUNICIPAL COUNCIL

DATE: August 5, 2014  
FROM: Mike DeSimone, Director  
SUBJECT: LDC Text Amendment – EMD Review Process

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### **Summary of Planning Commission Proceedings**

*Project Name:* EMD Review Process Amendment  
*Request:* Code Amendment  
*Project Address:* City-wide  
*Recommendation of the Planning Commission:* Approval with modification

On May 22, 2014, the Planning Commission recommended that the Municipal Council **approve** a request to amend the Land Development Code Chapter 17.40 (Signs) and Chapter 17.50 (Design Review Process) by moving the review process for EMD signs from the Track II design review process to the administrative sign permitting process.

### **Planning Commissioners vote (6 - 0):**

Motion to recommend approval: S. Sinclair

Second: D. Adams

Yea: D. Adams, A. Fonnesbeck, R. Price, S. Sinclair, G. Smith, A. Davis

Nay: none

### **Attachments:**

*Staff Report*

*Ordinance 14-45*

*PC Meeting Minutes*

**CITY OF LOGAN, UTAH**  
**ORDINANCE NO. 14-45**

AN ORDINANCE AMENDING TITLE 17 THE LAND DEVELOPMENT CODE OF LOGAN CITY, UTAH

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF LOGAN, STATE OF UTAH AS FOLLOWS:

**SECTION 1:** That certain code entitled "Land Development Code, City of Logan, Utah" Chapter 17.40: "Signs" is hereby amended as attached hereto as Exhibit A, respectively:

**SECTION 2:** That certain code entitled "Land Development Code, City of Logan, Utah" Chapter 17.58: "Design Review Permits" is hereby amended as attached hereto as Exhibit B, respectively:

**SECTION 3:** This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, \_\_\_\_\_  
THIS DAY OF \_\_\_\_\_, 2014.

AYES:

NAYS:

ABSENT:

\_\_\_\_\_  
Karl Ward, Chair

ATTEST:

\_\_\_\_\_  
Teresa Harris, City Recorder

**PRESENTATION TO MAYOR**

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for approval or disapproval on the \_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Karl Ward, Chairman

**MAYOR'S APPROVAL OR DISAPPROVAL**

The foregoing ordinance is hereby \_\_\_\_\_ this \_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Craig Petersen, Mayor

# EXHIBIT A

## Chapter 17.40: Signs

### §17.40.010. Purpose

The purposes of these sign regulations are to encourage the effective use of signs as a means of communication in the City; to fulfill a community-wide goal to protect the aesthetic quality of the community; to minimize the possible adverse effect of signs on nearby public and private property; and to enable the fair and consistent enforcement of these sign standards.

### §17.40.020. Applicability

The provisions of this section apply to all types of signs, **except**:

- A. Official public notice, traffic control, warning, or safety signs as required by law;
- B. Appropriately displayed official flags of any country, federal agency, State, County, or City government;
- C. Any sign located within a building and not visible from a public street;
- D. Merchandise displays within display windows in commercial buildings;
- E. Identification sign(s) or logo(s) applied to the outside surface of a vehicle, provided, only if the vehicle or trailer is not used as a sign as defined in Section 17.40.140 Prohibited Signs; or
- F. Public or private memorials, displays of remembrance of persons or events.

### §17.40.030. Permanent Signs

- A. Residential Zoning Districts and Residential Uses in Nonresidential Zones.

The following standards apply to all permanent residential signs without regard to the base zoning district and to churches, schools, parks, government facilities, and community services within residential zoning districts (NR zones, MR zones, NC, CR & RC); ~~(NRC, NRCS, NROC, NRE, NRW, MRM, MRH, NC, CR, RR, RC)~~:

1. Sign types not listed in Table 17.40.030.A are prohibited;
2. Reader boards and Electronic Message Display signs are prohibited in residential zones; and
3. All new projects with multiple tenants and signs shall have signage areas and locations designated and approved as part of the Design Review Permit. Individual tenants may then apply for specific sign permits as the project space fills up.

- B. Nonresidential Zoning Districts.

The following standards apply to all permanent signs in the commercial, industrial, public, and recreational zoning districts (TC, CC, COM, MU, UC, GW, CS, IP, AP, PUB, REC) with the exception of residential uses (see Section 17.40.030.A);

1. Sign types not listed in tables 17.40.030.B1 & 17.40.030.B2 are not permitted;
2. Total facade signage is limited to 10 percent of the first story facade area. Any number of separate building signs are allowable with the exception of reader boards and electronic message displays;
3. Only one reader board or electronic message display is allowed per project. A project is defined as a group of buildings, lots or improvements reviewed and approved under a single Design Review Permit, Conditional Use Permit, or Subdivision and where site improvements such as as parking, lighting, density, architectural/design standards and signage are shared; and

- ~~4. All EMD's require a Design Review (DR) Permit; and~~

- ~~5.~~ 4. All new projects with multiple tenants and signs shall have signage areas and locations designated and approved as part of the Design Review Permit. Individual tenants may then apply for specific sign permits as the tenant space fills up.

Table 17.40.030.A: Signs in Residential Zoning Districts

Use/Structure Type	Sign Type	Number	Area (sq. ft.)	Height (ft.)	Setback (ft.) <sup>1</sup>	Approval Type
Multi Family Complex	Building	1 per façade	36	na	na	Staff
	Monument	1 per street	36	6	0, not in SDT <sup>1</sup>	Staff
	Directional	One per vehicular access point	3	4	0, not in SDT <sup>1</sup>	Staff
Subdivisions, Planned Developments, Condominiums, Mobile Home Parks	Monument	1 per street	36	6	0, not in SDT <sup>1</sup>	Staff
	Directional	One per vehicular access point	3	4	0, not in SDT <sup>1</sup>	Staff
Home Occupation	Building	1 permitted	2	na	na	Staff
Churches, Schools, Parks, Government Facilities, community services	Building	1 per façade	36	na	na	Staff
	Monument	1 per street	36	6	0, not in SDT <sup>1</sup>	Staff
	Directory	1 per street frontage	24	6	20, not in SDT <sup>1</sup> , within 15 ft. of primary building	Staff
	Directional	One per vehicular access point	3	4	0	Staff

Table 17.40.030.B1: Building Signs in Nonresidential Zoning Districts

Sign Type	Zones	Area	Approval Type
Individual letters	All	10%	Staff
Sign board	All	10%	Staff
Painted advertising copy	All	10%	Staff
Wall art (non-advertising copy)	All	10% <sup>4</sup>	Staff/DR <sup>3</sup>
Cabinet	All but TC	10%	Staff
Awning with signage	All	10%	Staff
Reader board with changeable letters	All	10%	Staff
Electronic message display (EMD)	COM, IP, CS	10% (32 sf max)	Design Review (DR) Staff
Electronic message display (EMD)	PUBLIC/REC/TC	24 sf max	DR Staff
Perpendicular within right-of-way (non-electrical)	TC only	25 sq. ft. each	Staff
Perpendicular not within right-of-way	All	25 sq. ft. each	Staff
Permanent Window signs (more than 60 days)	All	50%	Staff

<sup>1</sup> SDT = Sight Distance Triangle (40 feet from curb intersection)

Table 17.40.030.B2: Freestanding Signs for Projects in Non-Residential Zoning Districts

Sign Type	Zones	Area (sq. ft.)	Maximum Height (ft.)	Number	Setback (ft.) <sup>2</sup>	Approval Type
Pole	COM only	48	14 (8.5 foot clearance)	1 per project (no monument signs allowed)	10	DR/Staff
Monument	All	32 for all other zones, 72 for COM, UC, MU, IP & CS zones	6 for all other zones, 8 for COM, UC, MU, IP & CS zones	1 sign per street frontage. 1 additional sign per street per every 450 feet of frontage	0, not in SDT <sup>1</sup>	Staff
EMD	COM, IP, CS	32 for COM, IP, CS and no more than 66% of total sign area for projects with less than 450 ft. of frontage. 47 and no more than 66% of the total sign area for projects with more than 450 ft. of frontage.	8 for COM, IP, CS	1 per project	0, not in SDT <sup>1</sup>	DR/Staff
EMD	PUB, REC, TC (not in Historic District)	24 for PUB, REC, TC	6 for PUB, REC, TC	1 per project	0, not in SDT <sup>1</sup>	DR/Staff
Menu Board	All	72	6 for TC zones, 8 for all other zones	2 per drive through lane	20	Staff
Directional	All	3	4	One per vehicular access point	0	Staff
Directory	All	24	6 (text on sign shall not exceed two (2) inches in height)	One per street frontage	0, not in SDT <sup>1</sup> , must be within 15 ft. of primary building	Staff
Archway	COM, MU, UC & TC	48	25 (17 foot min. clearance)	One per street frontage, two (2) max. per project	10	DR

**§17.40.040. Sign Measurement****A. Sign Face Area shall be computed as Follows:**

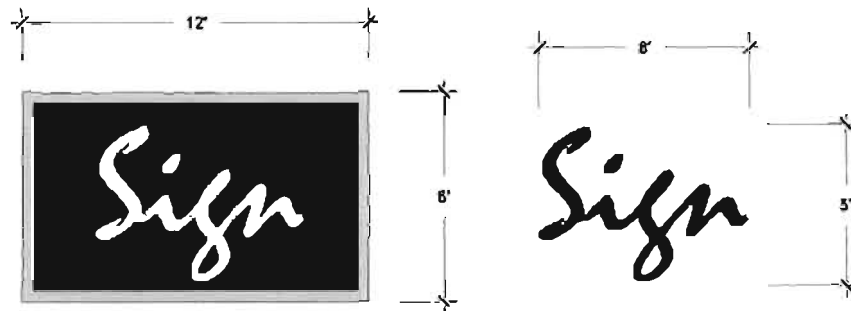
1. Cabinet Signs. The area of a cabinet sign shall include the outer limits of the cabinet frame;
2. For signs with individual components, the measurement shall be based on the letters, emblem, or other display, together with any material or color forming an integral part of the background of the area used to differentiate the sign from its backdrop. When there is no background color differentiation, letters, emblems or logos will be measured from the tallest and widest portions (see figure 17.40.040); or
3. For double sided, freestanding signs, only one sign face will count toward the sign's total square footage allowance.

**B. Height.**

The height of a freestanding sign shall be measured from the top of the nearest City curb, or if no curb is present, from the crown of the nearest road to the highest portion of the freestanding sign.

**C. Clearance.**

1. All pole signs, and any signs that project more than 12 inches from a building, shall have a minimum clearance of 8.5 feet from the finished grade to the bottom of the sign.
2. Monument signs shall have no more than twelve (12) inches between the bottom of the sign and finished grade.

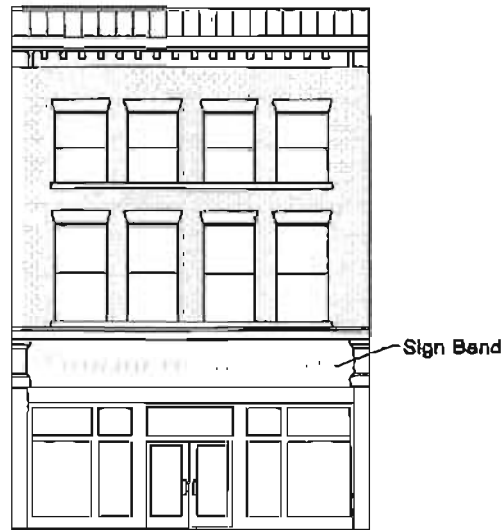
**Figure 17.40.040: Sign Measurement****§17.40.050. Sign Placement**

The following sign placement requirements shall apply:

- A. All signs and sign structures shall be located completely within the boundaries of the lot on which the principal building or use is located;
- B. No part of a pole sign shall be placed within 10 feet of an adjacent public or private right-of-way or property line;
- C. No part of a freestanding sign shall be placed within the required sight distance triangle;
- D. No portion of a freestanding sign may extend into the public right-of-way;
- E. Building signs shall not project beyond the corner of a building nor shall a building sign be attached to, or extend above, the parapet or roof of a building;
- F. Building signs shall not project more than 12 inches from a building wall, unless designed and approved as a perpendicular sign; and
- G. For building signs within the Logan Center Street Historic District, the preferred area for sign placement shall be the "sign band" of the building (see Figure 17.040.050) if available.

**§17.40.060. Illumination**

- A. For non-residential zones, no signs within 300 feet of a residential zoning district shall be illuminated between the hours of eleven (11) p.m. and five (5) a.m.;
- B. For residential districts, no sign shall be illuminated between the hours of ten (10) p.m. and six (6) a.m.;
- C. Signs that are externally illuminated shall have a shielded, stationary, steady light source that is down lit and directed solely at the sign face; and
- D. Light sources used to illuminate signs shall not be visible from adjacent rights-of-way or properties.

**Figure 17.40.050 Typical Sign Band location on a Historic Building****§17.40.070. Permits****A. Permanent Signs.**

1. All permanent signs shall have a permit issued by the Department of Community Development prior to installation. Failure to obtain a sign permit may result in enforcement actions pursuant to Section 17.60.
2. Permit applications shall require scale drawings showing the design of the sign(s) including size, materials, illumination, colors and other items as determined by staff.
3. Permit applications shall require scale drawings showing the placement of the sign(s) and its location on the building.
4. Permit applications for freestanding signs shall require scale site plans showing the location of the sign(s) on the property, streets, property lines, buildings, driveways, landscaping, parking areas and other items as determined by staff.
5. The permit number plaque provided by the Department of Community Development shall be affixed to the lower right hand side of the sign cabinet or to a location identified by a Department official when the permit is issued.
6. Freestanding and perpendicular signs require plans stamped by a professional engineer licensed to practice in the State of Utah as required by the International Building Code.
7. All signs require plans meeting the requirements of the International Building Code for installation and mounting of signs.
8. Depending upon the sign type and/or location of sign installation, certain signs may require an additional approval from the ~~Design Review Committee~~ Planning Commission (see Table's 17.40.030.B1 & B2), the Historic Preservation Committee (signs to be placed in the Logan Center Street Historic District), or both.
9. All permanent signs for which a permit was issued will be considered legally existing signs. If legally existing signs no longer conform to current regulations, they will be considered legally existing non-conforming. A permit is not necessary to replace only the graphics or the face of a legally existing, non-conforming sign.



This section, however, does not authorize the replacement or modification to the cabinet or frame of a legally existing non-conforming sign.

10. All permanent signs that are valued at \$1,000 or more are required to be installed by a licensed sign contractor.
  11. All signs shall comply with applicable provisions of the International Building Code (IBC) and Article 600 of the National Electrical Code (NEC) (UL or approved listing required).
- B. Inspections.
1. Inspection of all mounting brackets, electrical work, and freestanding sign bases shall be required as specified in the International Building Code;
  2. Freestanding signs require an inspection of the forms and size of hole prior to the pouring of concrete;
  3. Failure to obtain the minimum inspections may result in a prohibition against using the freestanding sign base without further code compliance; and
  4. Inspections are not required for re-faces of legally existing signs, painted building signs, wall art, window signs or other types of signs as determined by the Department of Community Development.
- C. Message Substitution on Permanent Signs.
- A noncommercial message of any type may be substituted for any permitted or allowed commercial message or any permitted or allowed noncommercial message; provided, that the sign structure or mounting device is legal without consideration of message content. Such substitution of message may be made without any additional approval or permitting.

#### **§17.40.080 Window Signs and Window Coverings**

- A. Permanent window signs or window coverings are allowed on the ground floor windows only. They shall not be located as to block clear view of exits or entrances or to create a safety hazard. The following shall also apply:
1. Window signs or window coverings shall not cover more than 50 percent of the entire surface area of a group of windows;
  2. Window signs or window coverings shall not exceed 64 cumulative square feet in size; and
  3. In conjunction with all other wall signage, window signs and window coverings shall not exceed 20 percent of the exterior wall areas of the ground floor tenant.
- B. Window displays and signs located within stores and not attached to the stores windows, are not regulated by the City.
- C. Window signs that are displayed without change for a period of less than 60 days per calendar year shall be defined as “temporary” for purposes of this chapter. Window signs that are displayed without change for a period of 60 days or more per calendar year shall be defined as “permanent” for purposes of this chapter and shall obtain sign permits prior to installation (See Table 17.40.030.B1).
- D. Window “perfs”, window wraps, window decals, etc., are considered window signs and regulated as such.

#### **§17.40.090. Real Estate Signs**

Real estate signs shall be permitted in all zoning districts subject to the following:

- A. One such sign shall be allowed per parcel per street frontage;
- B. Real estate signs shall be non-illuminated;
- C. Real estate signs on nonresidential sites shall not exceed thirty-two (32) square feet in area and six (6) feet in height;

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- D. Real estate signs on residential lots shall not exceed four (4) square feet in area or be more than four (4) feet in height;
- E. Such signs shall be removed within 5 days from the date of closing or full occupancy, if leasing;
- F. Signs shall not be placed on public property or within the public right-of-way except for open house signs detailed in subsection H(H) below; such off-premise signs may be removed by the City;
- G. Real Estate Signs shall only be located on the subject property for sale. Signs which serve as a directional sign to a sale property shall be prohibited, except as provided in subsection H below of this section. Such off-premise signs may be removed by the City;
- H. Open house signs. In addition to a Real Estate Sign located on the subject property open house signs shall be permitted as follows:
  - 1. Signs are limited to a maximum size of four (4) square feet in area and four (4) feet in height;
  - 2. One open house sign may be permitted within the public right-of-way within the landscape strip at the nearest corner to direct traffic to the open house. The sign shall be placed no earlier than 30 minutes before the start of the open house and shall be removed within one hour of the end of the open house; and never more than fifteen (15) consecutive hours.
  - 3. Associated balloons, streamers, or attention-getting devices shall be placed on the subject property for sale only and may not cause a safety hazard;
  - 4. Signs shall be on posts that are placed into the ground. Sandwich boards or freestanding open house signs shall not be permitted due to the potential of winds blowing the signs into the traveled way;
  - 5. Not more than one open house sign may be placed on a corner; and
  - 6. No individual open house shall be identified by more than three signs located within the public right-of-way.
- I. Real Estate Signs shall be located outside of the sight distance triangle.

**§17.40.100 Construction Signs**

- A. Construction signs may not be located within the sight distance triangle;
- B. Such signs may identify the project name and major participants, including but not limited to, owner, developer, planner, architect, engineer, builder, financier, unions, or skilled trades;
- C. One sign may be permitted per project per street frontage. One (1) additional sign is allowed per street per every 450 feet of street frontage. No more than four (4) construction signs will be allowed per project;
- D. Signs shall not be placed on public property, utility poles, light poles, or within the public right of way. Such off premise signs may be removed by the City;
- E. For construction of individual single family residences, such signs shall not exceed four (4) square feet in area and four (4) feet in height above the ground;
- F. For non-residential development, residential subdivisions and multi-family residential construction, signs shall not exceed thirty two (32) square feet in area and (6) feet in height; and
- G. Such signs shall be removed within 5 days of the date of the issuance of the last certificate of occupancy, or sale of all lots, whichever occurs first.

**§17.40.110. Temporary Signs**

- A. Temporary Signs with an on-premise commercial message within the TC, CC, COM, MU, UC, GW, CS, IP & AP zoning districts shall be allowed as follows:

## 17.40: Signs

1. Signs shall not exceed twelve (12) square feet per facing and a maximum height of four (4) feet above the ground;
  2. A maximum of three (3) different temporary signs may be placed on any one property per calendar year; and
  3. Each sign shall not be displayed for longer than thirty (30) days in a calendar year.
- B. Temporary Signs with an on-premise commercial message within the NR zones, MR zones, CR, NC, RC, PUB & REC ~~NR, NRCS, NROC, NRE, NRW, MRM, MRH, CR, NC, RR, RC, PUB, & REC~~ zoning districts shall only be allowed as follows:
1. Signs shall not exceed four (4) square feet per facing and a maximum height of four (4) feet above the ground;
  2. A maximum of four (4) different temporary signs may be placed on any one property per calendar year; and
  3. Each sign shall not be displayed for longer than seven (7) days in a calendar year.
- C. Temporary signs with a noncommercial message of any type in any zoning district shall be as follows:
1. Signs shall not exceed four (4) square feet per facing and a maximum height of four (4) feet above the ground; and
  2. A maximum of one (1) sign per each noncommercial opinion, message, issue or candidate for elected office may be placed on any one property per calendar year.
- D. All Temporary Signs shall only be allowed as follows:
1. Signs shall be located on private property with the owner's permission;
  2. Signs shall not be stacked;
  3. Signs shall not be placed in the public right of way or on public property;
  4. Signs shall not be placed in the sight distance triangle;
  5. Signs shall not be illuminated;
  6. Signs shall not be mounted to fences;
  7. Signs shall not be mounted to trees or utility poles;
  8. Signs shall be maintained in a safe condition. Signs that are damaged, broken or displayed in a manner to be a safety hazard shall be subject to immediate removal;
  9. Signs shall be placed in/on landscaped areas and patios. No signs shall be allowed in/on parking lots or vehicular driveways;
  10. Signs shall be securely fastened/anchored to the ground;
  11. Signs shall consist of sturdy or rigid material that does not move or give the appearance of movement;
  12. Unless otherwise evident (i.e., campaign signs), temporary signs shall include a notation or certificate on the back of the sign listing a responsible person to contact regarding the sign including the name address and phone number and the dates or date range the sign is displayed; and
  13. Temporary Signs do not require sign permits prior to installation.

**§17.40.120 Banners**

- A. Banners shall be allowed as follows:
1. Banners shall not exceed forty-eight (48) square feet in area;
  2. Banners shall be located on private property with the owner's permission;
  3. Banners shall not be placed in the public right of way or on public property;
  4. Banners shall not be placed in the sight distance triangle;
  5. Banners shall be securely attached flush to the wall of primary buildings;
  6. Commercial banners shall be maintained in safe condition. Banners that are damaged, faded, torn, broken, or displayed in such a manner to be a safety hazard shall be subject to immediate removal;
  7. Banners shall not be placed on poles;

8. Banners shall not be mounted between a building and a pole;
  9. Banners shall not be mounted on a fence;
  10. Banners shall not hang below the bottom of awnings, canopies, or other overhangs or between columns or pillars;
  11. Banners shall not be mounted on freestanding signs;
  12. Banners are only permitted in the TC, IP, CC, COM, MU, & CS, & ~~UC~~ zoning districts;
  13. A maximum of two (2) banners may be placed on any one property;
  14. Banners shall not be displayed for longer than sixty (60) consecutive days and no more than two (2) times in any calendar year; and
  15. Banners shall include a notation or certificate on the back of the banner listing a responsible person to contact regarding the banner including the name address and phone number and the dates or date range the sign is displayed.
- B. **Holiday Promotional Periods.** In addition to the specific standards contained in Section 17.40.120, a business may advertise a special service, product, or sale during the following holiday periods. Only one additional banner sign, not exceeding 48 square feet in size, is allowed during these periods. Such banner must be secured to the building and removed by the end of the first business day after the associated holiday.

**Table 17.40.120: Holiday Sign Promotional Periods**

<b>Holiday Period</b>	<b>Permitted Display Time</b>
Presidents Day and Valentine's Day	5 days including the holiday
St. Patricks Day – March	5 days including the holiday
Easter – March or April	5 days including the holiday
Memorial Day – May	5 days including the holiday
July 4 <sup>th</sup> and July 24 <sup>th</sup>	5 days including the holiday
Labor Day – September	5 days including the holiday
Thanksgiving – November	7 days including the holiday
Christmas, New Year's	23 days starting December 10 and ending January 2

- C. **Community Event Banners.** In addition to the specific standards contained in Section 17.40.120, a non-profit entity may advertise or promote a Community Event using temporary banners that are consistent with the requirements of Section 17.40.120.A, excepting the following:
1. Up to five (5) temporary banners advertising a community event shall not displayed for longer than ten (10) days and shall be removed by the end of the first business day after the associated event, and up to ten (10) additional temporary banners may be displayed on the day prior to the associated event and shall be removed by the end of the first business day after the associated event;

2. A community event banner may be placed in the public right of way or on public property with written permission from Logan City;
3. A community event banner may be attached to a fence; and
4. A community event banner may be placed off-site provided the community event banner is used to help direct traffic and people towards the event.

**§17.40.130. Portable Signs**

One Portable Sign (also identified as “Sandwich Boards” or “A Frame Signs”) with an on-premise commercial message is allowed per business within the TC, CC, and COM zoning districts subject to the following guidelines:

- A. The sign is placed entirely outside of roadways, on-site drive-isles, landscape areas, or designated parking areas. The sign shall be located on the pedestrian areas abutting the business and within 20’ of the main entrance;
- B. The sign shall not be closer than 25 horizontal feet to another portable sign;
- C. A six (6) foot wide clear path area on the existing hard surface shall be maintained, and such sign shall not obstruct any pedestrian or wheelchair access, including but not limited to, access from the sidewalk to transit stops, designated disabled parking stalls, disabled access ramps and building exits;
- D. The sign shall not exceed 3.5 feet in height nor be more than two (2) feet wide;
- E. The sign shall be taken down and stored inside the business at the close of business every day;
- F. The portable sign is not subject to the temporary sign standards contained in Section 17.40.110; and
- G. Commercial centers and their tenants shall not place portable signs within the public right-of-way.

**§17.40.140. Prohibited Signs**

The following signs shall be prohibited in all zoning districts unless otherwise authorized:

- A. Signs that do not comply with the provisions of this section or sign types not specified within this section, except for legally existing nonconforming signs;
- B. Off-premise signs, except where specifically allowed by this chapter;
- C. Signs above or within the public rights-of-way, except for signs specifically allowed in section Section 17.40.150 “Signs in the Public Right-of-Way”;
- D. Permanent signs on lots without a principal use;
- E. Building signs that extend above the parapet or roof;
- F. Signs attached to the roof of a building;
- G. Portable “reader boards” and other portable signs that are not attached to a building or the ground except as otherwise defined in this chapter;
- H. Signs that rotate, flash, move or give the appearance of motion, but not including barber poles;
- I. Signs that are attached to or towed behind a vehicle, except for business identification signs or logos that are permanently affixed to the vehicle or a magnetic sign that serves the purpose of being affixed to the vehicle;
- J. Signs that emit sound, odor or visible matter such as smoke or vapor;
- K. Signs painted on or attached to utility poles, trees or natural features (signs painted or engraved onto boulders or natural materials as a part of the sign permit may be permitted in conformance with this chapter);
- L. Signs that are abandoned, dilapidated, or advertise businesses that are no longer licensed or situated on the location;
- M. Sign structures, poles, pylons, and other supports not maintained or kept in good aesthetic and physical condition;

- N. Signs with visible frames unless part of the approved sign design;
- O. Signs that exhibit words or pictures of an obscene nature;
- P. Parking of vehicles or trailers off-premise, or within landscaped areas, or outside of designated parking stalls, or in other areas in a manner primarily oriented to the adjacent street(s) with signs either attached to or placed upon that result in the vehicle or trailer serving as a sign or billboard. Unhitched trailers parked in a parking stall adjacent to street(s) with signage attached or placed upon. Large vehicles with signage attached or placed upon that are parked in a manner that consumes more than one parking stall adjacent to street(s);
- Q. Signage that includes a visible or direct light source with the exception of neon or other lighting that has been approved as a part of the sign design (see also Section 17.40.060 on illumination);
- R. Signs that would cause a violation of the building code;
- S. Attention getting devices, inflatable objects and inflatable signs; or
- T. Signs that are placed, held or worn as part of a costume in the public right-of-way or off-premise with the intent of commercial advertisement directed to vehicle and pedestrian traffic.

#### §17.40.150. Signs in the Public Right-of-Way

- A. No Signs shall be allowed in the Public Right-of-Way, except for the following:
  - 1. Emergency warning signs erected by a governmental agency, public utility or contractor authorized to work within the right-of-way;
  - 2. Public signs erected by or on behalf of a governmental entity to post legal notices, convey public information, and direct or regulate pedestrian or vehicular traffic;
  - 3. Community or public events may have signs within the public right-of-way as approved by the Department of Community Development and the City Administration Department;
  - 4. Informational signs of a public utility regarding its poles, lines, pipes or other facilities;
  - 5. Temporary signs identified elsewhere in this chapter as being permitted in the right-of-way are not subject to the prohibition of this section;
  - 6. Perpendicular (blade) signs as permitted in this chapter are not subject to the prohibition of this section; or
  - 7. Cache Valley Transit District (CVTD) bus stop shelter advertisements as defined in Section 17.40.170.
- B. Removal.

Any sign installed or placed on public property, except in conformance with the provisions above, shall be forfeited to the public and subject to confiscation. In addition to other remedies, the City shall have the right to recover from the owner or person placing such a sign the full costs of its removal and disposal.

#### §17.40.160 Electronic Message Display (EMD)

- A. Permit Required.
  - 1. All EMD signs shall require a ~~Design Review~~ Sign Permit.
  - 2. Off premise advertising of a commercial nature is prohibited on all EMD's. Signs may only advertise for businesses operating on the same property or within the same approved project, and as outlined in ~~thean~~ approved ~~Sign Design Review~~ Permit.
  - 3. Exception to off premise advertising: Public Service Announcements. All EMD's are permitted to conduct Public Service Announcements of a non-commercial and temporary nature.

**B. Permitted Zones.**

1. EMD's shall only be permitted in the Commercial (COM), Commercial Services (CS), Town Center (TC), Industrial Park (IP), Public (PUB) & Recreation (REC) zoning districts..
2. EMD's are prohibited in the Logan Center Street Historic District.
3. EMD's located in the COM, CS, TC, and IP zoning districts are prohibited within 300' of a Neighborhood Residential Zoning District.
4. Pole EMD signs are specifically prohibited in all zoning districts.

**C. Operational Standards.**

1. The following frame effects and transitions are permitted in all listed zones except Public and Recreation:
  - a. Dissolve with 0 – 1 second between spots;
  - b. Fade with 0 – 1 second between spots;
  - c. Instantaneous transitions between advertisements;
  - d. Static images;
  - e. Animation;
  - f. Scrolling (vertical movement of message); and
  - g. Travel (horizontal movement of message).
2. The following frame effects and transitions are prohibited in all listed zones:
  - a. Flashing transitions;
  - b. Blank white transitions;
  - c. Flashing and blinking;
  - d. Starbursts; and
  - e. Any frame effect not listed as permitted in Section 17.40.160.C.1.
3. The following frame effects, transitions and operational standards are permitted in the Public and Recreation zoning districts:
  - a. Static images;
  - b. Scrolling (vertical movement of message);
  - c. Travel (horizontal movement of message);
  - d. Only a single color message is permitted; and
  - e. EMD's in the PUB and REC zoning districts within 300' of a residential zoning district shall not operate between the hours of eleven (11) p.m. and five (5) a.m.
4. Background. No sign shall utilize a white background for greater than or equal to 50% of the sign area.
5. Dwell Time. Each message/advertisement displayed on an EMD shall remain "on" and static for at least three (3) seconds.
6. Sign Brightness and Illumination Standards. All EMD's are required to comply with the following illumination standards:
  - a. All permitted EMD's shall be equipped with Photocell technology to respond to varying light conditions and provide for automatic dimming of the sign illumination;
  - b. Prior to the issuance of a Sign Permit, the manufacturer shall be required to submit written certification that the light intensity does not exceed the maximum levels specified in the table below and the sign is equipped with photocell dimming capability;
  - c. All EMD sign illumination and/or brightness shall not exceed 270 Foot Candles during daytime hours (15 minutes after sunrise), and 26 Foot Candles during nighttime hours (15 minutes after sunset); and
  - d. The differences between the off and solid message measurements using the EMD measurement criteria shall not exceed 1.0 foot candles.

7. EMD Illumination Measurement Criteria. The illumination or brightness of all EMD's shall be measured by utilizing a foot candle meter with the following criteria:
- Illumination or brightness shall be measured with the EMD off, and again with the EMD on displaying a white image for a full color capable EMD, or a solid message for a single color EMD.
  - All measurements shall be taken perpendicular to the face of the EMD at a distance determined by Table 17.40.160:

**Table 17.40.160: Illumination Measurement Distance**

Sign Area Versus Measurement Distance	
Area of Sign sq ft.	Measurement Distance (ft.)
10	32
15	39
20	45
24	49
25	50
30	55
35	59
40	63
45	67
48	69
Formula: Measurement Distance equal to the square root of (Area of Sign Sq. Ft. x 100)	

D. EMD Sign Area.

1. Building Signs.

- The EMD sign area shall be included as part of the total allowable sign area for the building and shall not exceed thirty-two (32) square feet; and
- Building EMD signs shall not be mounted above fifteen (15) feet in height.

2. Monument Signs.

- A monument sign shall never consist solely of an EMD within the entire sign area;
- The EMD portion of a monument sign shall not exceed 66% of the overall sign area and shall not exceed thirty-two (32) square feet for projects that contain less than 450 linear feet of street frontage. The EMD portion shall not exceed more than 66% of the total sign area and shall not exceed forty-seven (47) square feet for projects that contain more than 450 feet of frontage on a single street. The EMD must be placed on the street frontage with more than 450 feet of frontage; and
- Materials and Landscaping – Monument EMD Signs. The sign material used in the design of the monument EMD shall match or compliment the materials of the primary building. All monument EMD signs shall have a base and frame width of at least six (6) inches. Landscaping shall be required adjacent to the sign, shall include a mixture of shrubs and perennials intended to soften the sign's surroundings, and shall be reviewed as part of the Design Review/Sign Permit process.

- EMD Signs in Public and Recreation zoning districts shall not exceed twenty-four (24) square feet in size.



**E. Compliance.**

All legally existing non-conforming EMDs shall comply with the operational standards enumerated in Section 17.40.160.C. The size and locations of legally existing non-conforming EMD signs are exempt from the location and size standards of this Section and are otherwise regulated by Section 17.59.080.

**§17.40.170. Public Bus Stop Shelter Signage****A. Location.**

1. One (1) twenty-four (24) square foot maximum sign may be permitted on one of the two walls of the bus shelter that are perpendicular to the street. Only one perpendicular wall on the shelter may be used for signage;
2. Signage is permitted only at public transportation bus stop shelters located within the Commercial and Industrial zoning districts and outside of the Historic District boundaries; and
3. No signage is allowed on bus stop benches.

**B. Sign Area.**

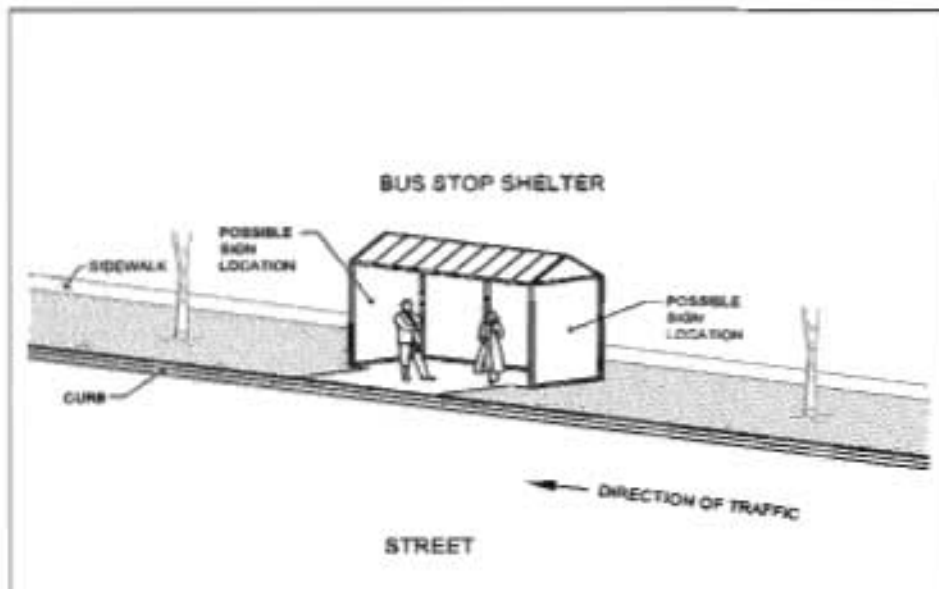
1. Signs shall be a maximum of twenty-four (24) square feet per shelter; and
2. Route maps and other transit oriented information will not be counted as part of the sign area.

**C. Sign Illumination.**

1. Sign lighting or sign illumination is prohibited for this type of signage; and
2. No Electronic Message Display (EMD) signs allowed at any bus stop location.

**D. Sign Type.**

1. Sign material shall be attached to bus shelter glass and have a 50/50 visual opacity ratio that allows bus passenger inside the shelter and bus driver to see one another.



**Figure 17.40.140: Cache Valley Transit District Shelter Signage**

**§17.40.180. Archway Signs**

Archway signs are signs that span either between two buildings or independent supports structures and only have individual lettering located in front of an open horizontal cross-support. Archway signs shall only act as a project identification sign. EMD's are prohibited

## 17.40: Signs

on archway signs. Archway signs may be located at the vehicle or pedestrian entrances to a project and shall never be located above or within the public right-of-way. Illumination shall be minimal and done with concealed source lighting. If attached to buildings, an archway sign may extend no more than four (4) feet above the adjacent rooflines. Archway signs require track two design review approval.

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# EXHIBIT B

## 17.50: Design Review Permits

### §17.50.010. Purpose

The purpose of design review is to encourage high quality development design and enhance neighborhood character. The design review process is intended to ensure conformance to city standards and encourage superior design while providing for flexibility in project design. Two procedural "tracks" are provided whereby an applicant can choose to follow the prescriptive (Track 1) standards in Title 17, or propose an alternative design (Track 2) that is consistent with the purpose and intent of Title 17 and results in a superior design.

### §17.50.020. Design Review ~~Authority~~Committee

The Planning Commission shall review Track 2 design review applications, including proposed site layout ~~and~~, building design, ~~grading and drainage~~, for conformity with Title 17 and shall follow the notice and meeting requirements of Section 17.50.070. The Director shall review Track 1 design review applications, including proposed site layout and building design, grading and drainage for conformity with Title 17 and shall follow the notice requirements of Section 17.50.070.

### §17.50.030. Standing To Apply

Any property owner, or proponent with the written permission of the property owner, may apply for consideration of a design review permit..

### §17.50.040. Design Review Permits

A. Design Review Permits are required for the following types of development:

1. Single family dwellings located above the 4950' elevation;
2. Attached single family dwellings;
3. Townhomes and Townhouses;
4. Multi family residential buildings;
5. Subdivisions;
6. Commercial development;
7. Industrial development;
8. Recreation development;
9. Public development;
10. Freestanding signs;
11. Wall art over 10% of the first story façade area; ~~and~~
- ~~12. Electronic Message Display Signs; and~~
- ~~13~~12. Wireless Telecommunication Facilities.

B. Design Review Permit is required for certain modifications to uses.

1. All remodeling, renovation or additions, including parking and access, that result in an increase in size by more than 25% or 20,000 square feet, whichever is less; or
2. Exterior remodeling or renovation that is found by the Director to result in an increase in a nonconforming design condition.

### §17.50.050. Procedures

Design Review Permits shall be processed as either a Track 1 Permit or a Track 2 Permit, and the review process shall follow the procedural requirements in Section 17.55.

### §17.50.060. Design Review Track 1: The Director shall be the review authority for Track 1 design review applications. The Director shall review Track 1 applications according to Section 17.54.

- A. **Track 1 Design Review Permits** shall meet the following criteria:
  - 1. The project or use does not require any variance or conditional use permit;
  - 2. The applicant has not requested any adjustment or modification to the standards in Title 17;
  - 3. The Director has not referred the application for a Design Review Permit to the Planning Commission for any other reason. The Director may refer applications to the Planning Commission Section 17.50.070 (Track 2) at his or her discretion where the application does not clearly demonstrate compliance with the applicable standards and criteria of Title 17; and
  - 4. The application meets all of the approval criteria in Section 17.50.080.
- B. The applicant shall be notified of the design review permit decision.
- C. Appeals shall be heard by the Board of Appeals following the provisions of Chapter 17.57.
- D. The Administrative Record of Decision shall serve as the administrative record of proceedings.

**§17.50.070. Design Review Track 2:** The Planning Commission shall be the reviewing authority for design review applications that do not meet the criteria under Section 17.50.060.A. The Planning Commission shall review Track 2 applications according to Section 17.55.

**§17.50.080. Approval Criteria**

The Planning Commission may approve a design review permit upon substantiating the following findings:

- A. The maximum allowable density under the applicable zoning district has not been exceeded, unless a density bonus has been approved for the subject site in conformance with this Title.
- B. The design review permit substantially conforms to the requirements of Title 17 of the Logan Municipal Code.
- C. Where an adjustment to a provision of Title 17 is requested as part of the design review application, the following criteria shall apply:
  - 1. The adjustment is consistent with the purpose and intent of the zoning district in which the project is located;
  - 2. The adjustment is consistent with the purpose of the standard for which the adjustment is requested;
  - 3. Permitted use standards, including conditional use standards, shall not be adjusted;
  - 4. Density standards shall not be adjusted;
  - 5. Adjustments to height, bulk, open space, landscaping, setbacks, lot coverage and floor area requirements may be approved provided that the adjustment does not exceed ten (10) percent of the base standard. Adjustments to design standards and guidelines such as building placement, building orientation, form, materials, fenestration, articulation, wall planes or façade variation may be approved by the Planning Commission with findings that demonstrate the proposed design changes are not due to financial considerations on behalf of the project proponent, are consistent with surrounding land use patterns and community design, will not compromise future projects or design, and any deviations reflect the City's desire to encourage and permit development that has lasting value to the community; and
  - 6. Historic district guidelines shall not be adjusted through this procedure.

**§17.50.090. Conditions and Modifications****A. Permit Approval Conditions.**

In reviewing an application for a design review permit, the decision making body may modify the project or impose conditions concerning site development, site design, and building design features to ensure conformance to applicable development and design standards, consistent with the purpose of this section. The issues that may be reviewed include and are not limited to:

1. Size and location of site, including all property owned by the proponent;
2. Streets and roads in the area;
3. Ingress and egress to adjoining existing and proposed public streets. Where adjoining streets are regulated by the Utah Department of Transportation, access to street(s) shall conform to the requirements of the Cache Access Management Plan;
4. Location and amount of off street parking;
5. Internal traffic circulation system;
6. Pedestrian and vehicular connectivity to adjoining properties;
7. Fencing, screening and landscaped separations;
8. Building bulk and location;
9. Architecture design and detailing;
10. Usable open space;
11. Landscaping, screening and/or buffering;
12. Signs and lighting;
- 13.. Noise, vibration, air pollution, adverse effects of lighting, and other development factors;
14. Setbacks as approved or modified by the Planning Commission from the site plan in conformance with the provisions of this Title; or
15. Existing trees, water bodies or other natural features.

**B. Permit Modifications.**

Modifications to an approved site plan and/or elevations may be approved by the Director upon finding that the modification substantially conforms to the design review permit and is not a change of more than ten (10) percent from the approved plan (i.e., for any quantitative standard, specification or condition of approval).



**Project #14-022  
EMD Review Process (17.40 & 17.50)  
Code Amendment**

**REPORT SUMMARY...**

<i>Project Name:</i>	EMD Review Process Amendment
<i>Proponent/Owner:</i>	Community Development Department
<i>Project Address:</i>	Citywide
<i>Request:</i>	Code Amendment
<i>Type of Action:</i>	Legislative
<i>Date of Hearing:</i>	May 22, 2014
<i>Submitted By:</i>	Mike DeSimone, Director

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**RECOMMENDATION**

Staff recommends that the Planning Commission recommend **approval** to the Municipal Council for the following amendments to the Land Development Code (LDC): Sections 17.40 (Signs) and 17.50 (Design Review Permits).

**REQUEST**

This proposed text amendments to the Land Development Code would amend both the Sign standards contained in Chapter 17.40 and the Design Review Permitting standards contained in Chapter 17.50. The purpose of these amendments is to move the review and permitting process for EMD's from the design review process to the administrative sign permitting process. The rationale for this change is to make EMD reviews consistent with the City's review & permitting process for other sign types.

There are also a few minor "clean-up" language changes in both Chapters and which are highlighted in red.

**GENERAL PLAN**

The Land Development Code was prepared and adopted to implement the vision expressed in the General Plan. This proposed amendment clarifies language within the Signs and Design Review Permits sections. The proposed amendments are consistent with the General Plan.

**STAFF RECOMMENDATION AND SUMMARY**

Staff would recommend that the Planning Commission forward a recommendation of approval to the Council for their consideration.

**PUBLIC COMMENTS**

As of the time the staff report was prepared, no public comments had been received.

**PUBLIC NOTIFICATION**

Legal notices were published in the Herald Journal on May 8, 2014, posted on the City's website and the Utah Public Meeting website on April 22, 2014, and noticed in a quarter page ad on May 4, 2014.

**AGENCY AND CITY DEPARTMENT COMMENTS**

No comments have been received.



## RECOMMENDED FINDINGS FOR APPROVAL

The Planning Commission bases its decisions on the following findings:

1. Utah State Law authorizes local Planning Commission to recommend ordinance changes to the legislative body (Municipal Council).
2. The Code Amendment is done in conformance with the requirements of Title 17.51 of the Logan Municipal Code.
3. The proposed Code Amendments are generally administrative in nature as they work to streamline the EMD sign review process.
4. The general language amendments elsewhere are minor in nature.
5. The provisions of the Sign Standards and the Design Review Permit Standards are consistent with the overall goals and objectives of the Logan General Plan.
6. No public comment has been received regarding the proposed amendment.

This staff report is an analysis of the application based on adopted city documents, standard city development practices, and available information. The report is to be used to review and consider the merits of the application prior to and during the course of the Planning Commission meeting. Additional information may be provided by participants at the Planning Commission meeting which may modify the staff report and become the Certificate of Decision. The Director of Community Development reserves the right to supplement the material in the report with additional information at the Planning Commission meeting.



# APPLICATION FOR PROJECT REVIEW

☒ Planning Commission   ☐ Board of Adjustment   ☐ Board of Appeals   ☐ Other

Date Received <b>4-21-14</b>	Received By	Receipt Number	Zone	Application Number <b>PC 14-022</b>
Type of Application (Check all that apply): <input type="checkbox"/> Design Review <input type="checkbox"/> Conditional Use <input type="checkbox"/> Subdivision <input type="checkbox"/> Zone Change <input type="checkbox"/> Boundary Line Adjustment <input type="checkbox"/> Code Amendment <input type="checkbox"/> Appeal <input type="checkbox"/> Variance <input type="checkbox"/> 4950' Design Review <input type="checkbox"/> Other _____				
PROJECT NAME				
TEXT AMENDMENT – LOGAN LAND DEVELOPMENT CODE				
PROJECT ADDRESS				COUNTY PLAT TAX ID #
CITYWIDE – TEXT AMENDMENT.				- -
AUTHORIZED AGENT FOR PROPERTY OWNER ( <u>Must</u> be accurate and complete)				MAIN PHONE #
LOGAN CITY COMMUNITY DEVELOPMENT DEPARTMENT				(435) 716-9021
MAILING ADDRESS		CITY	STATE	ZIP
290 NORTH 100 WEST		LOGAN	UTAH	84321
EMAIL ADDRESS				
<a href="http://WWW.LOGANUTAH.ORG">WWW.LOGANUTAH.ORG</a> ; <a href="mailto:MIKE.DESIMONE@LOGANUTAH.ORG">MIKE.DESIMONE@LOGANUTAH.ORG</a>				
PROPERTY OWNER OF RECORD ( <u>Must</u> be listed)				MAIN PHONE #
CITYWIDE				
MAILING ADDRESS		CITY	STATE	ZIP
EMAIL ADDRESS				
DESCRIBE THE PROPOSED PROJECT AS IT SHOULD BE PRESENTED (Include as much detail as possible - attach a separate sheet if needed) <b>AMEND LOGAN LAND DEVELOPMENT CODE SECTIONS 17.40 &amp; 17.50 TO          MODIFY EMD REVIEW PROCESS BY REMOVING THE EMD SIGN REVIEW          PROCESS FROM THE DESIGN REVIEW PROCESS AND INSTEAD UTILIZE THE          STAFF LEVEL SIGN PERMITTING PROCESS TO REVIEW/PERMIT EMD SIGNS.</b>				Size of Proposed New Building (square feet)
				Number of Proposed New Units/Lots
I certify that the information contained in this application and all supporting plans are correct and accurate. I also certify that I am authorized to sign all further legal documents and permits on behalf of the property owner.		Signature of Property Owner's Authorized Agent		
		Signature of Property Owner		
I certify that I am the property owner on record of the subject property and that I consent to the submittal of this project. I understand that all further legal documents and permits will be sent to my authorized agent listed above.				

*mc workshop - Jun. 17*  
*mc hearing - Jul. 1*



## **PUBLIC NOTIFICATION**

### **PC 14-022**

**Project Name:** LDC – 17.40 & 17.50 EMD Review Process  
**Project Address:**  
**Project TIN:**  
**Meeting Date:** May 22, 2014

- Attachment 1: Public Notice - N/A
- Attachment 2: Legal Notice published in Herald Journal – 5/8/14
- Attachment 3: Utah Public Meeting Notice website – 4/22/14
- Attachment 4: Qtr Page Ad published in Herald Journal – 5/4/14
- Attachment 5: Municipal Council - Legal Notice published in Herald Journal – 6/3/14
- Attachment 6: Municipal Council - Utah Public Meeting Notice website – 4/22/14